

Day One Employee Message

To: All Department of the Interior Employees

From: Deputy Secretary David Bernhardt

Subject: Day One Employee Message

My name is David Bernhardt. Earlier today, I took the oath of office to serve as the Department of the Interior's Deputy Secretary. I look forward to working with many of you in my capacity as Interior's Deputy Secretary and Chief Operating Officer.

Many of you have already gotten to know Secretary Zinke over the last several months. So, I will simply say that I am humbled to serve as his right hand as we move forward with his and the President's priorities. I am honored to be a part of a team that is focused on getting things working again. The Secretary recognizes that we are here to serve the American people, and he is committed to leaving Interior in better shape than he found it. So am I.

Some of you are aware that this is my second tour of duty within Interior. I previously spent 8 years working in the Office of the Secretary and the Office of the Solicitor. As I walked into the Main Interior Building this morning, many great memories flooded back. In particular, I felt appreciation for the significant lessons I learned during that first tour from many current, or now retired, employees within the bureaus, the Office of the Secretary, and the Office of the Solicitor.

As a westerner and sportsman, my appreciation for the Interior's mission is deeply felt. I love its history and the diversity of the bureaus' missions. My desire to ensure that its future is bright is unequivocal. My respect for and care of the laws the Congress has provided us to carry out our mission is real. I also believe there are bounds to our authority. To the extent such bounds exist, we should not try to stretch the law like a fraying rubber band to fit a particular policy vision. Instead, we should ask Congress for the authority we want or need—if it's so important for us to have.

As I swore the oath of office, my attention was captured by the final clause, which states "that I will well and faithfully discharge the duties of the office on which I am about to enter." Each of you made an identical commitment when joining public service. Promising to carry out one's duties "well and faithfully" is a meaningful commitment. In complete candor, it is possible this clause resonated with me because I have just gone through the Senate confirmation process. Going through a public 3 month-long interview and approval process can have a few humbling moments. However, it also crystallizes a few thoughts and teaches a few lessons. I am going to share a few of those with you.

My first thought is that, given the hyperbole of today's public discourse, you and I, and everyone else within the Interior, really are in the soup together. We may not like it. But it is the way it is. This means my conduct will reflect on you. Yours will reflect on me and your other colleagues. All of our conduct reflects on the Secretary.

Second, unfortunately we are living in a world where a few people are not discharging their duties well or faithfully. They have forgotten their oath. Instead, they choose to parrot comments of special interests rather than carry out their governmental duties to move the country forward. By doing so, they often avoid grounding their views in the actual facts or the law. Such conduct is arbitrary. It is lazy. We must always refrain from taking such a path. The decisions we make here have consequences. We must understand the factual setting and our actual decision space. Our conclusions must be connected to the facts that exist, not to the facts or the law that we might wish existed to fit our preferred outcome.

Third, a little kindness when interacting with others can make a big difference to a citizen or a colleague. During my confirmation hearing, before asking me a question, a Senator paused to pay my daughter a kind compliment. While my confirmation hearing was probably not a very big deal to that Senator, it felt like a big deal to my kids. His gesture meant a lot to my family. That gesture reinforced my commitment to strive to treat colleagues and citizens in a manner that I hope others would treat our daughters, sons, or partners. Consider doing the same thing. When we interact with others, particularly the public, we represent the weight of the entire Government. What may seem like an unimportant interaction to us in any given moment might actually be a pretty big deal to the person we are interacting with. The decisions we make can have great consequence to them, and such small gestures can reap large benefits for everyone involved.

Finally, we can disagree on important issues without being disagreeable. At the same confirmation hearing, a Senator, who clearly does not agree with the Administration's policy vision, questioned my policy views. He stated his position. He asked me the questions he wanted to ask. He challenged my responses where he disagreed. Although we see things differently, he was not challenging my motivations, my intentions, or my morality because of this difference in opinion. I left with respect for him. His actions were precisely what I believe our public policy discourse should be.

I believe each of us chooses to come to Interior because we believe in serving the people. We love Interior's mission. We want to make it even better. We maintain those values even when our conclusions differ. We can have healthy disagreement. However, ultimately, it is the policymaker's job, to the extent he/she has discretion, to exercise that discretion in accord with the Administration's view. This is because each President represents the will of the people, until the next one is sworn in.

In addition to these points, I want to remind you of a few other basic principles of conduct that each of us are bound by. These 14 principles were originally issued by President George H. W. Bush, in an executive order, and they were subsequently issued in the Standards of Ethical Conduct for Employees of the Executive Branch at 5 C.F.R. § 2635.101(b). I have slightly modified them for readability, but you can find the originals on the Department's Ethics Office Website at <https://www.doi.gov/ethics/basic-obligations-of-public-service>. Simply put:

1. Public service is a public trust, requiring me to place loyalty to the Constitution, the laws, and ethical principles, above private gain.
2. I will not hold financial interests that conflict with the conscientious performance of duty.
3. I will not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.
4. I will not, except as permitted by the Standards of Ethical Conduct for Employees of the Executive Branch, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by my agency, or whose interests may be substantially affected by the performance or nonperformance of my duties.
5. I will put forth honest effort in the performance of my duties.
6. I will not make unauthorized commitments or promises of any kind purporting to bind the Government.
7. I will not use public office for private gain.
8. I will act impartially and will not give preferential treatment to any private organization or individual.
9. I will protect and conserve Federal property and shall not use it for other than authorized activities.
10. I will not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official Government duties and responsibilities.
11. I will disclose waste, fraud, abuse, and corruption to the appropriate authorities, which includes reporting to management or the Inspector General.
12. I will satisfy in good faith my obligations as a citizen, including all just financial obligations, especially those—such as Federal, state, or local taxes—that are imposed by law.
13. I shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.
14. I will endeavor to avoid any actions creating the appearance that I am violating the law, the Standards of Ethical Conduct for Employees of the Executive Branch, Interior's supplemental Agency ethics regulations, or relevant executive orders. This is most easily facilitated by communicating with the ethics officials within the Department of the Interior, which I will do.

Finally, since the Secretary had a big head start in moving forward with the President's vision, I will spend a few days listening and visiting with you to learn where things stand. To those of you I know, I look forward to catching up. To those of you I don't, I look forward to getting to know you.

Thank You.